THEY FEAR THE LASH

How the Whipping Post and Pillory

DELAWARE'S EXPERIENCE WITH THEM

Crime Said to Be Lessened and Good Order Easily Maintained.

FEW HARDENED CASES

ence of The Evening Star

WILMINGTON, Del., October 11, 1805. The whipping post, which has been recomof crime by the grand jury of the District of Columbia, has been in use in the state of Delaware for over two hundred years. As to its efficiency in preventing crime, or its desirability as a mode of punishment, opinions vary, but certain it is that no movement to put it away has ever met with great popular approval, and present indications are that its use will be continued for many more years.

The first record of the whipping post appears in the old colonial chronicles, in 1656. Jan Risingh, then governor of New Sweden, had paid a visit of state to the Dutch Fort Casimir, where the city of New Castle now



The Whipping Post.

the commander of the fort caused three prisoners to be brought to the post and soundly flogged, for the purpose of im-pressing the visitors with a profound idea of the discipline he maintained in the col-

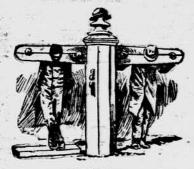
of the discipline he maintained in the colomy.

The pillory, or stocks, are part and parcel of the corporal punishment in use in Delaware, and sometimes the two appliances are constructed together. The cut represents the pillory and whipping post in the jail yard at New Castle. The victims are prisoners who had doubtless in their time tasted to the full measure the tortures of the punishment, but who, for this special occasion, accommodatingly consented to take their places while the photographer performed his work.

The Pillory Embrace.

The Pillory Embrace.

The pillory is on a platform above the whipping post. The portion of the post above the platform has a cross-beam about five feet above the floor. The arms of this beam on each side of the post consist of two pieces, the upper ones being movable and connected to the lower ones with hinges, so that they can be raised. Each of these arms has three openings, one for the neck and the other two for the wrists of the culprits. When a prisoner is ready for the punishment the upper part is raised, and, after his neck and wrists have been gently placed in the receptacles, the upper piece is lowered and fastened down. Here he must stay for an hour, the limit of the pillory term prescribed by law. The position becomes excessively painful long before the expiration of the hour, and in cold-



The Pillory.

weather the unfortunate victim suffers keenly. In olden times the spectators were permitted to pelt the poor victims with old eggs and decayed vegetables, but this dis-graceful practice has been prohibited for many vers

many years.

The whipping post, one foot square, is provided with an iron staple on either side, in which the prisoner's wrists are inserted and the staples fastened down with hasps. This confines him securely, and though he may move his body and dance about under the tortures of the lash, he cannot escape from the blows inflicted upon him.

upon him.

The general use of the whipping post is as a punishment for larceny, and the number of lashes for this crime varies from five to twenty, at the discretion of from five to twenty, at the discretion of the court. Formerly women were whipped, but they have been exempt from corporal punishment for thirty years. The pillory of itself is provided as a punishment for forgery and assault and battery with intent to commit murder. Post and pillory combined are imposed for the crimes of arson, burglary, highway robbery, horse stealing, and assault with intent to commit rape. Formerly, a prisoner convicted of murder in the second degree was sentenced to an hour in the pillory and sixty lashes, in addition to imprisonment for life, but several years ago the corporal part of the penalty for this grade of crime was removed.

Discretion of the Court.

. Discretion of the Court.

Another modification of the law in regard to the penalty of whipping is the omit corporal punishment for larceny where the prisoner, having been convicted for the first time, is recommended to mercy by the jury; or when he pleads guilty and furnishes proof of previous good

While in years past the whippings were very severe, invariably drawing blood and frequently cutting the back of the victim into large, deep wells, the custom for the into large, deep welts, the custom for the past two decades has been to apply the lash lightly. The language of the law with respect to corporal punishment is: "The punishment of whipping shall be inflicted publicly, by strokes on the bare back, well laid on. It shall be administered by the sheriff or his deputy." (Chapter 133, section 29, Revised Code of Delaware.) Each sheriff however, construer for his 133, section 29, Revised Code of Delaware.) Each sheriff, however, construes for himself the language of the law, "well laid on," and so general has become the custom to apply the lash lightly that it is seldom a drop of blood is drawn, even in a sentence of thirty or forty lashes. Sometimes, in the case of a prisoner whose offense has been of a particularly heinous or revolting character, the sheriff will construe the law literally, and give the offender a whaling that he will hever forget. Such instances, however, are rare.

The absence of any specific provision in the law respecting the instrument with which the punishment shall be inflicted has caused a curious variance in the practice followed in the three countles composing the state. In New Castle country the sheriff followed in the three counties composing the state. In New Castle county the sheriff

uses the genuine "cat-o'-nine-tails." The whip consists of nine leathern thongs, each an eighth of an inch in thickness, fastened to a stout hickory handle. The thongs are about two feet in length.

Terrors of the Lash. It can readily be imagined how terribly a culprit's back could be mangled with this veritable instrument of torture should the sheriff decide to comply with the language of the law, and see that the lashes were "well laid on." And yet, in slavery days, many a negro, and white man, too, had his back fairly cut into ribbons by the awful blows of this terrible scourge. It could be so now, did the sheriff choose to consider this duty under the law. In Kent county the sherinf whips all post victims with an ordinary rawhide whip. This gives the culprits in this county practically only a ninth part of the punishment their fellows

at the New Castle jail receive. Here, also, the sheriff uses his discretion as to what constitutes lashes "well laid on," but severe punishments and the drawing of blood are the exception and not the rule.

When the sheriff of Sussex county has offenders to thrash at the post, he simply goes out and cuts a supply of pliable hickory switches, using his discretion as to their size. Switches superceded the lash in Sussex about forty years ago.

The punishment of the whipping post is most frequently inflicted for the crime of larceny, and most of the offenders are negroes, it can scarcely be argued that the punishment is a deterrent. Men continue to steal, despite the terrors of the whipping post, and instances are not rare of hardened offenders being returned a second and even a third time to receive their punishment. The ordinary criminal, the man of low intellect and victous tendency, seems to have little dread of the whipping post.

The Moral Effect.

The Moral Effect. But there are many who hold that the post and pillory serve to deter the commssion of many graver crimes in this state, particularly that of burglary. Situated as is Delaware, and particularly the city of Wilmington, on the main highway

city of Wilmington, on the main highway between New York and Washington, it is contended that the skillful burglars of the large cities would fairly overrun this community did they not so much dread the punishment of the post. The falls of Delawarc could not hold such fellows, and it is urged that only the peculiar mode of punishment provided for their crimes keeps them away from here.

The high-class professional burgfar looks upon the whipping post as a degradation, and one who is unfortunate enough to be compelled to embrace it and feel the sting of the lash upon his bare back, loses caste among his fellows. This was shown back in 1873, when "Jimmy" Lawler and "Ed" Hurlburt, four of the most famous cracksmen in the land at that time, took the obnoxious dose of post and pillory for an at noxious dose of post and pillory for an at-tempt to rob the Bank of Delaware in this tempt to rob the Bank of Delaware in this city. These burglar princes would have guaranteed the payment of any amount of money could they have evaded the sentence of an hour in the pillory and forty lashes ack imposed upon them. They felt it as a disgrace that forever barred them from the society of high-toned burglars, and though the sheriff applied the "cat" in a manner that searcely reddened their backs, they hung their heads in deepest shame while the castigation was being administered. All soon after escaped from the prison, but all felt that they had been forever degraded by their public flagellation at a Delaware whipping post. There has never since been an attempt to rob a bank in Delaware.

Fear of the Disgrace.

Fear of the Disgrace.

Burglaries are committed here, but they invariably the work of bungling amateurs. Skillful professionals in this line of busiress give Delaware a wide berth. It is also
held that the fear of the disgrace attending
punishment at the post keeps many a
young man in the line of honesty who
otherwise might yield to the temptation to
go astray. Of course, this is largely conjectural, but it is a belief entertained by
n.any. The whipping post, therefore, has
hosts of supporters among the good people of Delaware. They look upon it as a
protection to a state too small to provide
itself with the elaborate and costly means
of punishment for desperate and dangerous
criminals. The judges of the courts have
never joined any movement to do away
with the post and pillory. Every prosecuting attorney for the past fifty years has
upheld the institution as a good one for the
punishment of evil doers and the prevention of crime. Skillful professionals in this line of busi-

punishment of evil doers and the preven-tion of crime.

For these reasons is safe to predict that the post and placer will remain in Delaware for many more years. The only recent agitation of the question was a sugrecent agitation of the question was a suggestion made a few years ago to extend the punishment of the whipping post to men who beat their wives, but the suggestion was not put into practical shape. It is likely, however, to come up at any session of the legislature, and will find many warm advocates. As to the efficacy of the punishment for this offense, the records of the courts of Maryland, where it has been inferce for some years, ought to afford ample evidence.

M. T.

DURRANT LEAVES THE STAND. Has Suffered the Ordeal of Cross-Ex-

After a three days' ordeal Theodore Dur-Lamont in San Francisco, left the witness stand yesterday. District Attorney Barnes tried to draw from the defendant admissions that he was well acquainted with the use of bromo seltzer, as used in medicine. Durrant's replies indicated that he had devoted the night to a study of the compound, as he replied that he had conversed with Dr. West about it in the jail. He was able to give its analysis and detailed its pathological effect.

For the first time during the trial Durant pleaded by propage. In peoply to a customer of the propage of the propage of the propage of the peoply to a customer of the people of t

rant pleaded ignorance. In reply to a ques-tion by Mr. Barnes he said he did not know what an alibi was until after his

what an anil was until atter his trial begay. While testifying the prisoner became badly confused at times, and when questioned regarding his experience at Cooper Medical College became so mixed in his dates that he had to refer to a card that he carried in his pocket to set himself right. He became noticeably confused and rather testy in his nis pocket to set minself right. He became noticeably confused and rather testy in his replies when examined in regard to the interview that he had with Gilbert F. Graham, a fellow student, at the city prison, when, the prosecution claims, Durrant asked Graham to furnish him with a copy of the notes of Dr. Cheney's lecture, remarking:

"If I had those notes I would be able to rove an alibi."

Several specimens of Durrant's handwriting were introduced in evidence for the purpose of comparing them with the writing on the wrapper in which the rings of Blanche Lamont were mailed to her aunt, Mrs. Noble. The district attorney closed his cross-examination of the witness by trying to show that when he was at the ferries, ostensibly to search for Blanche Lamont, he was in reality looking for Minnie Williams, who came over from Oakland that afternoon, and was found murdered in the church the next day. The defense fought vigorously against the admission of anything bearing on the case of Minnie Williams, and after a long argument Judge Williams, and after a long argument Judge

Mining overing on the case of Minine Williams, and after a long argument Judge Murphy sustained the objections.

After Durrant was excused Charles T. Lenahan, who was said to have been mistaken for Durrant by Pawnbroker Oppenheim, was recalled to the stand for further examination. Little progress had been made, when court adjourned until Tuesslay morning.

LORD SACKVILLE CRITICISED.

English Papers Generally Deplore His Folly.

A special cable dispatch to the Philadelphia Press from London says: English papers have had but little to say on Lord Sackville's attack upon Ambassador Bayard for the probable reason that they have been compelled to rely on very meager extracts from the pamphlet cabled back from New York by the correspondents of the Times and Chronicle. The former cables, among other satirical comments upon Lord Sackville's injudicious publication, that it sufficiently proves the wisdom of President Cleveland and Secretary Bayard in seneing Lord Sackville's passengre to so indiscret ord Sackville's passports to so indis

diplomatist.
The Times editorially speaks of the pantphlet as giving "a by no means flattering picture of the expedients to which American politicians sometimes have recourse on the eve of a closely contested election."

Otherwise, the editorial comments of the

other London newspapers are unanimous in deploring Lord Sackville's folly.

The St. James Gazette says the ex-minister has "raised a storm in a slop basin."

The Telegraph is even more emphatic. It calls the pamphlet "a very foolish, illmannered and ill-timed attempt to injure the reputation of Mr. Bayard, the popular representative in this country. We can only hope the common says and practical representative in this country. We can only hope the common sense and practical judgment of the English and American public will treat this uncalled for attack in the only way in which it deserves to be treated—by contemptuous disdain."

The Evening Star for the full time the mystery story, "When the War Was Over." is running, including back numbers, will be sent, postpaid, to out-of-town subscribers for 60 cents. Subscribe for an out-of-town

Wagon Wrecked.

As the result of a collision late yesterday afternoon with a 9th street electric car, a dayton wagon belonging to J. E. Williamson of 433 Rhode Island avenue, was wrecked and the owner had a narrow escape from death. The accident occurred at 9th and R streets and was witnessed by

Foreman Johnson of the Grand Jury Talks of It. . .

REASONS FOR THE RECOMMENDATIONS

Crimes Which the Jury Thought Might Be Prevented.

VIEWS IN OPPOSITION

The startling recomendation of the last grand jury that a whipping post be established in the District for the punishment of certain minor offenses against the law, still serves as a topic for interesting and heated discusions among the ministers, legal fraternity and citizens generally. Naturally, there has been much criticism of the grand jury for making this recommendation for the establishment in this, the nation's capital, of what is styled "an implement of barknown architect, who was foreman of the jury, was seen by a Star reporter this morning and asked what caused the members of the jury to advocate the reviving of the whipping post. Mr. Johnson at first hesitated to talk, and as an excuse for not talk'ing, said that he was not seeking the title of "Whipping-post Johnson," which some of his friends had bestowed upon him.

"I was not the author of the recommendation," he said, "and had no part in its adoption until it was voted upon. I voted to include the suggestion in our final report, and as foreman, brought the matter to the attention of the court."

"What caused the subject to be brought to the attention of the jury?"

"The pressing necessity of some other mode of punishment for minor offenses than that now in vogue, was emphasized at aling and asked what caused the members of

mode of punishment for minor offenses than that now in vogue, was emphasized at aimost every session we held. Second-offense petty-larceny cases were before us daily where the amount involved was less than one dollar. I remember one case where the sum was less than fen cents, and yet the cost to the government for the prosecution of this case was at the lowest calculation over one hundred dollars.

"The culprits would plead guilty in the

cution of this case was at the lowest calculation over one hundred dollars.

"The culprits would plead guilty in the Police Court, and, in many cases render material assistance to the officers in making out a case. They seemed to be anxious to be convicted and sent to jail, where they would be fed and sheltered during the cold weather and kard times. Of course there were exceptions, but I refer to the majority of cases. Instead of dreading a jail sentence or considering it as a punishment they would apparently commit a crime for no other reason than to make the government support them. The jail is a better home than many of the prisoners have when free, so six months' imprisonment had no particular horrors for them. Just as much time was taken up in considering these minor cases as in more important ones, and when the cost to the government was considered we deemed it advisable to agitate the question of a different mode of punishment for this class of criminals, and the adoption of the white

ferent mode of punishment for this class of criminals, and the adoption of the whipping post would certainly result in taking away the many cases where the crime is committed in order to be rent to fail, and this alone would save the government hundreds of dollars."

"Why were wife-heaters' included in the dreds of dollars."
"Why were 'wife-beaters' included in the

"Why were 'wife-beaters' included in the report as suitable subjects for the post?"

"The mention of wife-beating as a crime to be punished by the lash was an after-thought, and was not brought up until after we had decided to recommend the, 'post.' When it was suggested, we included it among the other offenses, as we considered the lash an appropriate number. sidered the lash an appropriate punish-ment for this cowardly crime."
"What is your personal opinion of the whipping post as a means of preventing orime?"

crime?"

"Personally, I am in favor of the best mode of punishment for these offenders that can be suggested. I am convinced that something should be done, and I cannot think of any method which would be more effectual in putting a stop to the crimes, and having a more beneficial effect on the community, than the adoption of the whipping post. I have seen instances where the lash was used with great effect. I recall one case in particular of a man who was publicly whipped for petty larceny at Parkersburg, W. Va., and he was considered more disgraced by the community than if a ten-year sentence had been imposed upon him. His former friends (all belonging to the same class) would have nothing to do with him, and he soon left the place. The effect on the community was good, and deterred other criminals from subjecting themselves to the public disgrace, as well as physical pain. "Personally, I am in favor of the best isgrace, as well as physical pain.

public disgrace, as well as physical pain. A few Sundays ago a colored preacher at the corner of 7th and the avenue made a statement that expresses the matter very clearly. He said in passing the byways and alleys he often heard such expressions as this, 'I'll take six months for you,' of 'I'll take sixty days for you.' If the punishment was the lash it would be very seldom that 'I'll take nine and sixty lashes for you' would be heard."

"What do you think of the criticisms that your recommendation has brought that your recommendation has brought forth?"
"I have read the interesting interviews in

The Star, but paid no attention to anonymous communications. I would suggest that those who so openly criticise the grand jury for their recommendation should offer some way of obliterating the present condition of affairs."

Why He Opposes It.

Lawyer W. C. Martin, whose views or the question establishing a whipping post here were printed in The Star a few days ago, is still opposed to the establishment of this mode of punishment, and cites his experience in Virginia when such a law was in operation. This law in Virginia, he says, was enacted in 18/8, and was in effect three years. In 1881, when the readjuster legislature was elected, the law was repealed. Under this lew, he said, all persons who were whipped were disfranchised, and during the three years, he thinks, about 40/00 voters, most of them colored, lost their right of citizenship.

The law, he says, was enacted in clear violation of the 10th clause of article I of the state constitution, which gives, in all criminal prosecutions, the right of trial by jury. Members of the legislature, apparently oblivious of this fact, voted for the bill, and it became a law. Under this law a justice of the peace was given jurisdiction in cases of larceny and other offenses, the penalty for which was as many stripes, not exceeding thirty-nine, as the justice might determine. this mode of punishment, and cites his ex-

might determine might determine.

It was an open secret, says Lawyer Martin, that the law was enacted to crush out the republican party, or, at least, most of the colored vote, and this attempt was not made in vain, for in the three years the made in vain, for in the three years the number already stated were disfranchised. Under this law many frivolous cases were brought. Many a man was deprived of his right to vôte because he had picked up an apple in an orchard or had been seen in a neighbor's persimmon tree.

What Mr. Martin terms a twin brother to this law was the law providing for the

what Mr. Martin terms a twin brother to this law was the law providing for the payment of the capitation tax of \$1. It was thought, he said, that this would have the effect of preventing all the poor colored people from voting, but in this they were mistaken, for the treasurer's returns showed that more whites than colored failed to nay the tax.

How It Reacted.

All went well, said Mr. Martin, so long as the stripes were made on the colored peo ple, and on the backs of what was con sidered "poor white trash," but when two or three white women were lashed a wai or three white women were lashed a wail went up from Pittsylvania to Loudoun, and from Abingdon to Norfolk. Their appeal was submitted to the people, and by a majority of 50,000, the law was repealed, but those who had been disfranchised were not restored to citizenship.

Lawyer Martin says that in view of the decision of the Virginia court of appeals those who were disfranchised under the whipping-nost law are really entitled to

those who were disfranchised under the whipping-post law are really entitled to yote now, for the law was deelared unconstitutional. In this case a woman named Mary Miller was denied the right of trial by jury, and a justice of the peace imposed a sentence upon her for keeping a bawdy house. The case was taken up, and the highest court in the state held that the act giving the justice the right to try cerain cases was not constitutional. This decision, he says, rendered the whipping-post law unconstitutional, and, he says, that the whipping was therefore done under a law which was void.

FAITH IN THE WHIP laws, he concluded, died on the same day, and he is satisfied that in some districts there are hundreds of woters who are not permitted to vote because they were victims of the whip.

Wives Who Suffer. Mr. N. C. Hayser, one of the deputy clerks of the Police Court, whose duty brings to his attention all sorts of assaults, is heartly

n favor of the whipping post. "I am in favor of the introduction of the whipping post for the punishment of wife-beaters, and, in fact, all woman-beaters, he said to a Star reporter, "but I do not think that petty thieves should receive that punishment, because oftentimes women and children, as well as men, are driven to steal-ling by their processition.

punishment, because oftentimes women and children, as well as men, are driven to stealing by their necessities.

My long experience in the Police Court has taught me that the poor wife, as a rule, appears only as a last resort to the law for the punishment of the brute who violates his marriage vows, for the reason that the penalty of the law is really visited upon her and her oftentimes hungry children, rather than upon her, scoundrelly husband, by removing her only means of support. Often, when a fine is imposed, the wife will take her own hard-earned savings to help her husband from golffs to prison, and thereby encourage him to repeat the offense.

"I should say that the whipping should be imposed, at some place, removed from the public gaze, for I do not think that the criminal laws are intended as a public warning, but rather as a finens of retributive justice to the offender. There can surely be no further degredation for a man who is so cowardly as to beat, a woman."

AFFAIRS IN ALEXANDRIA

Small Boys and Their Pranks With an Officer.

Carriage-Local Notes of Gen-

eral Interest.

cers a great deal of trouble at the opera house every night this week. They congregate in large crowds in front of the door and worry those they may chance to know to take them in and so on. They had been told over and over again to discontinue cial Officer Page ordered them away, one of them became very impudent to the officer, whereupon he put him under arrest and started to take him to the station house, with about fifty or seventy-five others following close behind. When he had gone about half a square the "kids" in a bunch made for the officer, and during the scramble some one tripped him, and he fell sprawling to the sidewalk, his pris-

oner making his escape.

The occurrance created a great deal of The occurrance created a great deal of excitement at the time, as the report soon spread that the officer had been seriously injured, but that soon died out, as it was seen that he was not hurt at all, and, to the amusement of the crowd, who thought it a great joke, he had been gotten ahead of by a crowd of boys. He went back to his post of duty at the opera house. No arrests were made at all.

Bold Highwaymen

Mr. Harry Richards, while driving along the road between this city and Merryfield, a small place just this side of Occoquan, was attacked by three men, who held his horses by the bridle and demanded his money. Mr. Richards, who is a candy and money. Mr. Richards, who is a candy and fruit drummer of this city, generally had a large sum of money on his person when traveling. He has always been in the habit of carrying a revolver, but yesterday he accidentally left it at home, therefore he was without arms. When one of the men demanded his morey he leaned over and struck the one who had hold of the bridle rein with the butt end of his whip with "ach force that he staggered, releasing his hold. Mr. Richards then put the whip to his horses and drove rapidly away.

Gambling Material Recovered.

Officer James Smith and Mr. Wm. Web ster of this city, assisted by Sheriff Pal-mer of the county, succeeded last night in recovering the gambling material which was stolen from the county court house was stelen from the county court house in this city, where it had been stored. Yesterday evening at about 5:30 o'clock the gentlemen, with a search warrant, proceeded to the gambling house of John Neison above Georgetown, on the Yirginia side of the river. Upon searching the house they found a hole cut in the ceiling of the rooms, and it was there the things were found stored away between the ceiling and roof. The officers procured a wagon, loaded the goods upon it, and brought them to ed the goods upon it and brought them to this city and locked them up in one of the rooms at the station house, where they will be held until the case of Nelson, who is held for larceny by the county authorities, it and brought them to is called up.

Defacing Property.

There is a great deal of complaint from people living in all parts of the city, especially those who five near the schools, of the fact that their property is being conters house owners fear to paint their house and fences, knowing that if they should do so some mischievous boy or probably some older person, will wantonly deface it. The police are keeping a sharp lookout for all offenders. There is a city law which imposes a fine of five dollars on all persons convicted of such an offense.

Police Court.

Mayor Thompson disposed of the following cases at the mayor's office this morning: cober Grabonski, charged with being a wagrant, was ordered to leave the city: Cornelius Carry and Thornton Wilson, charged with being drunk and disorderly, dismissed Harry Baker, colored, charged with fighting on the street, fined two dollars. Two young white men, charged with fighting, fined three dollars. Robert Linnee, charged with abus-ive language to Mr. John Sutton, was dis-

Owing to the cold weather tramps are becoming very annowing to the farmers in this neighborhood, and their hen roosts and orchards are suffering by their depreda-

Mrs. Lucy Davis, who has been spending the summer with her grandmother, Mrs. Susan Davis, in Fairfax county, has returned to her home in this city.

Mr. and Mrs. Claud Lennon have returned from their bridal tour. They will make this city their home.
Only civil cases will come up before the gext term of the Alexandria county court

for hearing.

There was a meeting of the board of police commissioners last night. A resolution authorizing the mayor to put the ready men on duty while any of the police officers are off on leave of absence was adopted by the board of the commissioners.

ed by the board.

There was a false alarm of fire yesterday evening at half-past 5, which brought out the entire department.

Mrs. M. L. Dillingham of New York city is visiting her father, Gen. Dayls of South Washington street.

Hayward Planned to Escape.

The county authorities have admitted at Minneapolis that they had discovered a plot to effect the escape of Harry Hayward, the condemned murderer of Catherine Ging, from the county jail. Duplicate keys had been made in some way, which fitted his cell door and the outer door. These keys have been found by one of the sheriff's deputies, and when tried, fitted the locks perfectly. The sheriff had kept the matter quiet and laid his plans to capture the conspirators in the act. A bribe had been offered to one of the act. A bribe had been oliered to one of his deputies te aid in the escape, a fact which the deputy promptly reported to Sher-iff Holmberg. The publication of the facts will brevent the attempt, but arrests are likely to follows.

Senator Griey's Daughter Selected. Secretary of the Navy Herbert has reuested Miss Anne Gray, daughter of to perform the ceremony of christening the gunboat Wilmington, which will be launchsun cases was not constitutional. This delision, he says, rendered the Whipping-post aw unconstitutional, and, he says, that the whipping was therefore done under a law which was void.

The whipping post and capitation tax sun and the constitutional and the constitutional and the says, that the Navy Department. Mayor Jeffries and members of the city council of Wilmington will attend the launching.

A GREAT DEBATE

The Clerical Discussion Over the Word "Primate."

NEW TITLE IN THE AMERICAN CHURCH

Reason Urged For and Against the

CONVENTION SCENES

MINNEAPOLIS, Minn., October 9, 1895.

onvention as to whether the term primate or that of presiding bishop shall be used is bates ever heard on the floor of a general before the house it looked as if the word "primate" would be adopted at once, but the Rev. Dr. Efliott came to the rescue of "presiding bishop" and stayed the tide. while Rev. Dr. McKim's brilliant speech almost turned it. The word in the revision was "primus,"

and the office was elective, but when the bishops took the section in charge they did away with the election and made it so that the office came, as before, by seniority of consecration. They also made the title of the office "primate." This came down to the lower house, and it was moved to make it, as now, "presiding bishop."

it, as now, "presiding bishop."

For a while it looked as if a vote would be taken without any debate, but the Rev. Dr. Elliott of Washington claimed the floor and opened one of the greatest debates of the session. He opposed the word "primate" because it was a radical change in the church, and because it was a great mistake to take in this republican country a new ascending scale of terms for officers in the church.

He was followed by a deputy, who said everybody's mind was made up as to how they would vote, and that they needed no debate.

debate.

But Rev. Dr. McKim claimed the privilege, and made a brilliant speech. He insisted the names were very important, that the delegates ought to consider the American people, and how best to carry them the Gospel and the church, and not to prejudice our cause by supplied that the

the Gospei and the church, and not to prejudice our cause by suspicion that we were following something foreign. He closed with a sentence that won cries of "Good!" "Good!" from all sides—"It is the simplicity of Bethlehem, and not the splendor of Jerusalem, which will give us victory over the hearts of the American people."

ple."

Rev. Dr. Harwood of Connecticut, in an able speech, showed that the term applied to the bishop of the mother church, and that, if used at all, it belonged, according to history, to the bishop of Connecticut, whose predecessor, Bishop Seabury, was the first bishop in the United States, and that we ought not to claim titles based on fancy, not on fact.

Rev. Dr. Huntington of New York made a speech in its fayor. He was clear, and

a speech in its favor. He was clear, and carried much weight when he said that the word primate merely referred to the dignity that lay in the venerableness of Rev. Dr. Greer of New York made an eloquent speech against "primate."
Rev. Dr. Green of lowa spoke in favor, claiming that many people in the west preferred the church because of its dig-

reterred the church because of its dignity.

Rev. Dr. Parks of Boston spoke against "primate," saying that there must be archbishops before there could be primates, and that finally there would be a patriarch over the whole church.

The vote vas taken by division, and there were 162 for primate and 152 against it.

A vote taken just before this letter leaves shows that now the house of deputies agrees with the house of bishops in making the senior bishop primate. The majority in favor of seniority was large.

A resolution has been introduced and carried to accept no more invitations, for the convention has been literally overwhelmed with hospitality. with hospitality.

Next. Place of Meeting.

This morning some time was spent in hoosing the place for the next convention Boston had the committee's report in its favor, and New Orleans and Louisville went under in the attempt to take the place. But when Atlanta came to the front in a handsome speech by a young cleric, Mr. Knight, it won easily. With a telegram from the governor of Georgia in e certainty of house next to the church (in Atlanta), where the sessions of the two houses could be held, and a hint that the state house might be put at the disposal of the conmight be put at the disposal of the convention, the Georgia man carried his city handsomely, but the house of bishops has chosen Boston, so that there must be a committee of conference.

Northern Michigan was made a dicess, on that miters are waiting for four of the

so that miters are waiting for four of the clergy—one in Maryland, one in Kentucky, one in California, and as above. The house of bishops is still working much more rapidly on the new constitution, and messages from the house announcing their passing articles reach the deputies before the latter have gotten to these some articles. hese same articles.

Prayer Book Changes. There was a unanimous vote to make a change in the prayer book, but the change was very slight, and in a place where few people look-among the "golden numbers," and the change is only in a few figures and necessary because we are going into a new century soon.

There is said to be only one mistake in the new prayer book, and that in editing. On page 202 (all new prayer books have the same paging), at the top is the word "min-ister," which ought to be "question." Final action has been taken on the word bishop-coadjutor for assistant bish The change was adopted in Baltimore in 1882, and sent down to the dioceses. At this convention the final vote was taken and bishop-coadjutor is now the word. The vote was by dioceses and orders. Maryland voted "no," in both orders. Mr. Keyser voted aye; Messrs. Wilmer and Mason, "no," (Mr. Packard absent), so the lay vote was "no." vote was "no."

The vote as taken by dioceses was cler-ical, 35 aye, 11 no, 7 divided; lay, 29 aye, 19 no, 3 divided.

Parliamentary Pitfalls.

There are all kinds of parliamentary

pitfalls for the unwary, and many able awyers, who sit for the first time in this ody, find that the proceedings require more thorough knowledge of such law than they expected.

at the front to keep things in order and now that he is gone he will be greatly missed. Yesterday there was a vote showing 325 deputies present, but it is doubtful if this large number can be kept a week longer. There was also the first vote by dioceses and orders, which means that he between the letter was also the strength and

Ex-Senator Edmunds has been constantly

week longer. There was also the first vote by dioceses and orders, which means that the clergy and laity vote separately and each divese as a unit if possible. That is, the secretary says Arkansas, and if the four clergy are agreed they say aye or no, but if two are on one side and two on the other it is said Arkansas is divided.

The question on which this vote was taken arose from a message from the house of bishops, which informed the lower house that they had fixed the title "The constitutions and canons for the government of that part of the Catholic Church known in law as the Protestant Episcopal Church."

Those who know about the dispute over the name Protestant Episcopal will see that this in a measure settles the question. Of course, it is already settled by being put in the prayer book, and this general convention and a good many conventions after it are not going to change anything in the prayer book. But still a great many were expecting a great dispute over the name in the constitution, and that there would be a vote to call it the American Church, or the Church in America, in that decument.

The adoption

Coument.
The adoption above title by both ion, though it looked riler votes on the testant Episcopal houses settles the as if, from the name, the womight not be us.

The general The house of bishops changed the name "general convention" to "general synod," but the house of deputies refused to make the change, so that there will have to be, as when the Senate and House of Repre-

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sentatives differ in a matter, a joint committee of conference.

Washington Chosen for 1898. Both the house of deputies and the house of bishops agreed on Washington as the place for holding the next convention, and one fight of the convention is settled. The house of deputies yesterday afternoon reversed some of its former actions when it got down to voting by dioceses. A majority of the individuals in the convention did not necessarily rule then, and the laity had more show than during the previous debates. The voting was against the conferring with the bishops on the first six sections of article 1.

The first two were concurred in, except that the word "synod" was changed to "co vention," in designating the triennial mea

contained the term "primate." This section was changed by eliminating the objection-able clause. The vote on the question of a

able clause. The vote on the question of a "primate" was as follows:
Clerical delegations—Ayes, 31; nays, 16; divided, 3. Lay delegates—Ayes, 20; nays, 26; divided, 6.
The vote to concur failed, because the laity and clergy did not concur, a majority of each being required.
Considerable time was spent in discussing the question of allowing representatives of churches in foreign countries a vote in the convention. It was decided, after a long argument, that they should not have the right, but the section was not finally adopted.

adopted.

The house of bishops decided to elect another bishop to Japan, to be known as the bishop of Tokio. The election will occur next week. The bishops have finished their discussion of the revised constitution. They laid the declaration on the table.

Last evening the board of missions held another large meeting to consider the

Last evening the board of missions held another large meeting to consider the Alaskan question, and by a vote of 161 to 37 decided to ask the house of bishops to elect a bishop of Alaska. The debate was not as sultry as Thursday night, but there were some spicy speeches. Bishop Neely made another fight against Alaska, but he apologized for many of the things he had said about Missionary Chapman.

Many of the prominent bishops of the church took part in the debate, and it was not until a late hour that the matter was ce-

not until a late hour that the matter was ce-THE PRESIDENT RETURNING.

Back From Gray Gables Much Benefited. Much Benefited.

President Cleveland and Private Secretary Thurber left Gray Gables at 5:30 o'clock yesterday afternoon on board the Oneida, Commodore E. C. Benedict's steam yacht, which arrived Thursday for the purpose of taking the President back to Washington, With favorable weather the party should reach their destination Monday. Mrs. Cleveland and the children will leave Gray Gables for the White House early

next week.

The President and his family have had The President and his family have had one of the pleasantest, as well as one of the longest, seasons ever spent at Gray Gables, and all of them are in excellent health as the result of their long vacation. Mr. Cleveland, especially, has been greatly benefited, and declares that he is tully recuperated and in splendid physical condition. He certainly never looked better. Yesterday, the last day of the President's stay, was spent in fishing in company with Secretary Thurber. They started for the fishing grounds at about 9 o'clock, returning during the afternoon.

DREW PISTOLS IN COURT.

A Quarrel That Ended in a Tragedy

Edward Jennings, a lawyer in Woodward, Okla., and his brother, John, also a lawyer, were killed by Senator Temple Houston of Texas, eldest son of Gen. Samuel Houston and ex-Sheriff Jack Love of Woodward. A case was on trial in Justice Miller's court at Woodward, in which a boy was charged with stealing a keg of beer from the Santa Fe depot. Houston, as attorney for the Santa Fe, was prosecuting, and the Jennings brothers defending.

In the course of the examination the lie was passed from the Jennings boys to Senwas passed from the Jehnings boys to Sen-ator Houston. He resented it instantly, All jumping to their feet, pulled revolvers and began firing. The court and its officers restored order before anybody was hurt. After adjournment of court Senator Hous-ton and ex-Sheriff Love went to the Cab-inet saloon, a political resort. As they were taking a drink the Jennings brothers came

The quarrel in the court was renewed. The quarrel in the court was renewed. All pulled their guns again, including ex-Sheriff Love, who is a brave frontiersman and a dead shot. At the first fire Ed Jenrings fell dead on the floor with a bullet wound in his brain. When John Jennings was raising his gun his arm was pierced through and his gun fell on the floor. He was shot again through the body, but had vitality enough left to run out of the saioon and up the street for 200 feet, where he fell in the dust in agony.

Senator Houston and ex-Sheriff Love then went to the county sheriff's house and gave

went to the county sheriff's house and gave themselves up.

The coroner held an inquest, and the jury returned a verdict in accordance with the facts, but falling to lay the blame on anyoody. Temple Houston is one of the best known

prators in the southwest; his speech nomi-rating Senator Regan for the Senate some years ago was supposed to be the finest even made in Texas. Another brilliant ef-fort was delivered by him the the fort was delivered by him at the dedication of the new state capitol. He is about forty-five years old, and is the oldest son of the famous Texan general.

A Pastor in Disgrace

Rev. Samuel Howard Chubb, pastor of the Evangelical Church of Plymouth, Pa. has been convicted in the criminal court of elonious assault on Rachael Hitner, a seventeen-year-old member of his flock. Chubb ried. He claimed the Hitners were incensed against him because he had remonstrated with John Carr, a relative, for signing an application for a hotel license while he was an officer in the church. an officer in the church.

When Rev. Chubb's attorney made his speech to the jury Miss Hitner wept audibly. The jury retired at 5:30 o'clock and was out all night.

Another Italian Earthquake. A letter from Florence, Italy, states that there was another slight earthquake shock felt there on Sunday last, WILL SUPPORT FUSION.

Dr. Parkhurst Discusses the Anti-Rev. Dr. Parkhurst of New York has roken the silence which he has maintained on politics since the fusion ticket was form-

ed and has stated his views. Much interest has been felt in Dr. Parkhurst's position, as he has become a power in municipal politics and his utterances are influential. He has declared in recent interviews that he was as deeply opposed to the Platt wing of the republican party as to Tammany Hall, therefore it was not known whether he would support the fusion ticket, which contains a majority of Platt men

mong the candidates.

In his statement Dr. Parkhurst said: "With the outcome of the efforts that have been made at fusion I am sadly disappointed. Surprisingly excellent as the fusion ticket is in certain portions of its personnel, no resident in this city can examine the ticket without discovering that the influences largely operative in its construction were distinctly indifferent to—not to say antegonicity to—all that makes for

struction were distinctly indifferent to—not to say antagonistic to—all that makes for the best interest of the city as generally interpreted. We are not satisfied to be told of a candidate that there is nothing in particular that can be said against him. Negation and colorlessness do not level up to the grade of the popular demand.

"Now in this we are not criticising the committee of fifty. Their function was understood to be to constrain the several organizations to combine in the composition of a ticket and not to compose a ticket of their own. All they could do was to prod the different organizations into making the ticket as reputable a contribution as was obtainable; and too distinct and cordial a recognition cannot be made of the protracted and painstaking effort made by

was obtainable; and too distinct and cordial a recognition cannot be made of the protracted and painstaking effort made by them to meet the demands of their own judgment and that of the public.

"Whatever there may be in the situation that is faulty and deplorable we are not thereby absolved from the obligation resting upon us as citizens to gather ourselves up from any perplexity into which we may up from any perplexity into which we may thereby absolved from the obligation resting upon us as citizens to gather ourselves up from any perplexity into which we may have been thrown by the unexpected, to remember that altered contingencies have not modified the essential elements in the case, and that whatever other enemies there may be that will require to be knocked down when their turn comes it is neither robust citizenship nor good strategy to concentrate this year upon any other enemy than the one we all combined to paralyze last year, viz., Tammany Hall.

though I shall not neglect to scratch one or more names on the fusion ticket, yet that fact is no scabbard into which I shall hrust my sword that is already red with he tiger's blood."

Minister De Lome Reticent.

Senor Dupuy de Lome, the Spanish minister, who has been stopping for some time at the Bryn Mawr Hotel, near Philadelphia, returned from Washington yesterday. He declined to be interviewed on the story that the United States had given Spain a hint to be more vigorous in Cuba. He adhint to be more vigorous in Cuba. He admitted having spoken with Secretary Olney yesterday, but added that it was during the regular Thursday reception by the Secretary of foreign diplomats. He would neither affirm nor deny the story, but intimated that the various reports both from Washington and the seat of war were inspired by certain persons who were interested in having them sent broadcast.

Inspector Albert Bache Dend. Pay Inspector Bache of the United States navy dfed yesterday at his home in Philadelphia, after a brief illness, aged sixtythree years, Albert D. Bache was born in 1832, and entered the service of the United States navy from Pernsylvania on January 8, 1862, when he was appointed captain's clerk on the flagship Hartford. He was commissioned paymaster while attached to the United States steamer Iroquois, on June 11, 1868.



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